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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.	
10/694,688	10/28/2003	Jeroen Mattijs Bezemer	05032-00044	3925	
22910 75	90 12/29/2005		EXAMINER		
BANNER & WITCOFF, LTD.			FAY, ZOHREH A		
28 STATE STR	EET		<u> </u>		
28th FLOOR			ART UNIT	PAPER NUMBER	
BOSTON, MA	02109-9601		1618		

DATE MAILED: 12/29/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary The MAILING DATE of this communication appears on the cover sheet with the correspondence address Period for Reply ASHORTEMED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION. Extendence from any be availated under the provisions of 27 FCR 1.138(a), in 27 FCR 1.138(a), in 27 FCR 1.138(a), in 28 cases and the provisions of 27 FCR 1.138(a), in 28 cases and the provisions of 27 FCR 1.138(a), in 28 cases and the provisions of 27 FCR 1.138(a), in 28 cases and the provision of 27 FCR 1.138(a), in 28 cases and the provision of 27 FCR 1.138(a), in 28 cases and the provision of 27 FCR 1.138(a), in 28 cases and the provision of 27 FCR 1.138(a), in 28 cases and the provision of 28 cases and			Application No.	Applicant(s)				
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2a) ☐ This action is FINAL. 2b) ☐ This action is non-final. 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under Ex parte Quayle, 1935 C.D. 11, 453 O.G. 213. Disposition of Claims 4) ☐ Claim(s) 1-6 and 8-16 is/are pending in the application. 4a) Of the above claim(s) is/are pending in the application. 5) ☐ Claim(s) is/are allowed. 6) ☐ Claim(s) is/are allowed. 6) ☐ Claim(s) is/are objected to. 8) ☐ Claim(s) are subject to restriction and/or election requirement. Application Papers 9) ☐ The specification is objected to by the Examiner. 10) ☐ The drawing(s) filed on is/are: a) ☐ accepted or b) ☐ objected to by the Examiner. Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a). Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d). 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152. Priority under 35 U.S.C. § 119 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f). a) ☐ All b) ☐ Some * c) ☐ None of: 1. ☐ Certified copies of the priority documents have been received. 2. ☐ Certified copies of the priority documents have been received in Application No 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)). *See the attached detailed Office action for a list of the certified copies not received. Attachment(s) 1) ☐ Notice of Dratsperson's Patent Drawing Review (PTO-948) 3) ☐ Notice of Informal Patent Application (PTO-152)	Status							
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Application/Control Number: 10/694,688

Art Unit: 1618

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Claims 1-6 and 8-16 are presented for examination.

The remarks filed on August 22, 2005 have been received and entered.

Claims 1-6 and 8-16 are rejected under 35 U.S.C. 103 9a) as being unpatentable over Vancaty et al. (U.S. Patent 6,348,069) in view of Martin et al. (U.S. Patent 6,162,537) for the reasons set forth on pages 3 and 4 of the office action of June 25, 2005.

Applicant's arguments and remarks have been carefully considered, but are not deemed to be persuasive. Applicant alleges criticality to the emulsion of the claimed invention in comparison to the composition of the prior art. The allegation is not well taken. There is no evidence of record to demonstrate the advantages of the emulsion over polymer fibers of the prior art. Applicant has presented no evidence to establish the unexpected or an obvious nature of the claimed invention, and as such, claims 1-6 and 8-16 are properly rejected under 35 U.S.C. 103.

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of

the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Zohreh A. Fay whose telephone number is (571) 272-0573. The examiner can normally be reached on Monday to Friday 9:30-6:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Michael Hartley can be reached on (571) 272-0616. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

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